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BEFORE THE ARIZONA CORPORATION COMMISSION

2005 DEC 12 P 1:34

AZ CORP COMMISSION  
DOCUMENT CONTROL

COMMISSIONERS

JEFF HATCH-MILLER, Chairman  
WILLIAM A. MUNDELL  
MARC SPITZER  
MIKE GLEASON  
KRISTIN K. MAYES

IN THE MATTER OF THE REQUEST OF  
AUTOTEL FOR INTERCONNECTION,  
SERVICES AND NETWORK ELEMENTS WITH  
CITIZENS UTILITIES RURAL COMPANY, INC.  
AND FOR AN INQUIRY BY THE ARIZONA  
CORPORATION COMMISSION AND  
TERMINATION OF THE EXEMPTION OF  
CITIZENS UTILITIES RURAL COMPANY, INC.  
PURSUANT TO SECTION 251(f)(1)(B) OF THE  
TELECOMMUNICATIONS ACT OF 1996.

DOCKET NO. T-01954B-05-0852

PROCEDURAL ORDER

**BY THE COMMISSION:**

On November 21, 2005, Autotel filed with the Arizona Corporation Commission ("Commission") a Notice of its Bona Fida Request for interconnection, services and network elements with Citizens Utilities Rural Company, Inc. ("Citizens") pursuant to A.A.C. R14-2-1505 and Section 252(b) of the Communications Act of 1934, as amended by the Telecommunications Act of 1996 ("the Act") and for an inquiry by the Commission and termination of the exemption of Citizens pursuant to section 251(f)(1)(B) of the Telecommunications Act of 1996.

Pursuant to the Act, the Commission must act on the request within 120 days, in this case, by March 21, 2006.

On December 12, 2005, pursuant to Procedural Order, a procedural conference was held. Two legal issues were discussed at the conference. The first issue discussed was whether Autotel is precluded from filing the application in this docket due to its pending appeal in Decision No. 67273 (October 5, 2004). The second issue relates to the rationale or necessity of terminating Citizens' exemption under the Act with regard to the requested Interconnection Agreement.

IT IS THEREFORE ORDERED that the parties and Staff shall file simultaneous Opening Briefs, including briefing on the above issues, and any other relevant matters, on or before January 6, 2006.

1 IT IS FURTHER ORDERED that the parties and Staff shall file simultaneous Response  
2 Briefs on or before January 27, 2006.

3 IT IS FURTHER ORDERED that given the necessity of briefing and consideration of the  
4 legal issues in this matter, the timeclock is suspended accordingly for good cause.

5 IT IS FURTHER ORDERED that a **Procedural Conference** for the purpose of **Oral**  
6 **Argument** shall commence on **February 6, 2006, at 10:00 a.m.** at the Commission's offices, 1200  
7 West Washington Street, Phoenix, Arizona, 85007.

8 IT IS FURTHER ORDERED that after the legal issues in this matter have been resolved a  
9 hearing date and deadlines for filing testimony will be set.

10 IT IS FURTHER ORDERED that the costs to transcribe the proceedings shall be borne  
11 equally by Autotel and Citizens.

12 IT IS FURTHER ORDERED that all parties must comply with Rule 33(c) and (d) of the  
13 Rules of the Arizona Supreme Court with respect to practice of law and admission *pro hac vice*.

14 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113 - Unauthorized  
15 Communications) applies to this proceeding and shall remain in effect until the Commission's  
16 Decision in this matter is final and non-appealable.

17 IT IS FURTHER ORDERED that withdrawal of representation must be made in compliance  
18 with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Rule 42 of the  
19 Rules of Arizona Supreme Court). Representation before the Commission includes the obligation to  
20 appear at all hearings and procedural conferences, as well as all Open Meetings for which the matter  
21 is scheduled for discussion, unless counsel has previously been granted permission to withdraw by  
22 the Administrative Law Judge or the Commission.

23 IT IS FURTHER ORDERED that the Arbitrator may rescind, alter, amend, or waive any  
24 portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

25 Dated this 12 day of December, 2005.

26  
27   
28 AMY BJELLAND  
ARBITRATOR

1 Copies of the foregoing mailed/delivered  
this 12 day of December, 2005 to:

2 Richard L. Oberdorger  
3 114 N.E. Penn Avenue  
Bend, OR 97701

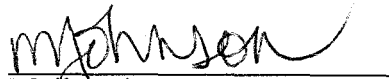
4 Kevin Saville  
5 Citizens Communications  
6 9260 E. Stockton Blvd.  
Elk Grove, CA 85624

7 Christopher Kempley, Chief Counsel  
8 Legal Division  
ARIZONA CORPORATION COMMISSION  
1200 West Washington Street  
Phoenix, AZ 85007

9 Ernest G. Johnson, Director  
10 Utilities Division  
ARIZONA CORPORATION COMMISSION  
11 1200 West Washington  
Phoenix, AZ 85007

12 ARIZONA REPORTING SERVICE, INC.  
13 2627 N. Third Street, Ste. Three  
14 Phoenix, Arizona 85004-1104

15 By:

16   
Molly Johnson  
17 Secretary to Amy Bjelland